

**IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF ARKANSAS  
PINE BLUFF DIVISION**

**YEVONNE VAN HORN**

**PLAINTIFF**

**v.**

**No. 5:13-cv-74-DPM**

**MARK MARTIN, In his official capacity as  
Arkansas Secretary of State, and  
DARRELL S. HEDDEN, Individually and in his  
official capacity as Chief of Police for the  
State Capitol Police**

**DEFENDANTS**

1. The Scheduling Order is suspended and the trial is canceled. Defendants' global motion for summary judgment, *No. 45*, is denied without prejudice. Based on the undisputed material facts about Van Horn's bankruptcy, she can't proceed. There now seems to be a standing issue, which the Court must sort out because it goes to jurisdiction. *See generally, United States ex rel Gerbert v. Transport Administrative Services*, 260 F.3d 909 (8th Cir. 2001) and *Equal Employment Opportunity Commission v. CRST Van Expedited, Inc.*, 679 F.3d 657, 679 n. 14 (8th Cir. 2012). And if Van Horn has standing, she's judicially estopped. An explanatory Order will issue.

2. The joint motion to extend time, *No. 51*, is denied as moot.

So Ordered.

*D.P. Marshall Jr.*  
D.P. Marshall Jr.  
United States District Judge

*6 October 2014*